

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE INTEL CORP. MICROPROCESSOR
ANTITRUST LITIGATION,

MDL No. 05-1717-JJF

PHIL PAUL, on behalf of himself and all others
similarly situated,

C.A. No. 05-485-JJF

Plaintiffs,

CONSOLIDATED ACTION

v.

INTEL CORPORATION,

Defendant.

**STIPULATED FACTS RELATING TO
CLASS PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

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J. Clayton Athey (#4378)
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Attorneys for Defendant
Intel Corporation

DATED: February 1, 2010

Pursuant to the Court's order, the parties stipulate to the following facts relating to Class Plaintiffs' motion for class certification:

1. Intel's principal place of business is located in Santa Clara, California.
2. A general-purpose microprocessor, an integrated circuit capable of executing instructions and performing mathematical computations at very high speeds, is the brain of every computer.
3. Intel and AMD x86 microprocessors are used in desktop and mobile personal computers ("PCs"). Mobile computers are also known as "laptops" or "notebooks."
4. Intel and AMD x86 microprocessors, among others, are also used in servers, computer systems that provide essential services across a network.
5. Beginning in 1996, AMD introduced a series of its own (*i.e.*, non-clone) x86 microprocessors, the K5-K7 microprocessors. The K7, introduced in June 1999, was branded the "Athlon".
6. In 2003, AMD introduced the Opteron microprocessor, which was designed specifically for servers.
7. The proposed indirect purchaser classes include personal computer buyers in the consumer, SMB, and enterprise segments. Those classes exclude purchasers of servers and stand-alone microprocessors.
8. The issue of market definition is common to the proposed classes.
9. Counsel for Class Plaintiffs will adequately represent the classes.
10. AMD is not a party to the Class Plaintiffs' action.
11. Intel's microprocessors are characterized by different brand names (e.g., Pentium 4, Pentium D, Celeron, Core 2 Duo, etc.) and different performance characteristics.

12. Intel sells x86 microprocessors to original equipment manufacturers ("OEMs"), and distributors.

13. OEMs manufacture (or contract for the manufacture of) desktop and mobile computers, and in some cases servers. OEMs that sold personal computers during the class period include Dell, Hewlett Packard ("HP"), Compaq, IBM, Lenovo, Fujitsu-Siemens, Gateway/eMachines, Toshiba, TAIS, Acer, NEC, NECAM, Sony, and SEL.

14. HP bought Compaq in 2002.

15. In 2005, IBM sold its PC business, but not its server business, to Lenovo.

16. OEMs may sell PCs directly to end-users and/or to retailers or valued added resellers ("VARs") that resell them to end-users.

Respectfully submitted,

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By: /s/ James L. Holzman

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CERTIFICATE OF SERVICE

I, W. Harding Drane, Jr. hereby certify that on February 1, 2010, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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I hereby certify that on February 1, 2010, I have Electronically Mailed the documents to the following non-registered participants:

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